

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EXCHANGE 12, LLC	:	CIVIL ACTION
	:	
v.	:	NO. 23-3740
	:	
PALMER TOWNSHIP, et al.	:	

ORDER

AND NOW, this 25th day of September, 2024, it is **ORDERED** that:

1. The Defendants' motion to strike [Doc. 18] is **DENIED**.¹
2. The Defendants' motion to dismiss [Doc. 19] is **DENIED** with leave to renew as a motion for summary judgment, pending completion of discovery.
3. The Defendants' motion to stay [Doc. 31] is **DENIED**.²

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.

¹ The Court has previously ruled that the alleged comment referred to in Paragraph 19 of Plaintiff's Amended Complaint is not protected by the attorney-client privilege. [ECF 55, 67].

² See *Gwynedd Properties, Inc. v. Lower Gwynedd Township*, 970 F.2d 1195, 1201-1202 (3d Cir.1992); *M & M Stone Co. v. Pennsylvania Dept. of Environmental Protection*, No. CIV.A. 07-CV-04784, 2008 WL 4467176 at * 5 (E.D. Pa. Sept. 29, 2008).